

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 50950
ASSIGNMENT

Date of filing in State Engineer's Office MAY 22 1987
Returned to applicant for correction JUN 29 1987
Corrected application filed JUL 6 1987
Map filed JUL 24 1987

The applicant Spencer Mining, Inc.

Post Office Box 5029

Sparks

Street and No. or P.O. Box No.

City or Town

Nevada 89432-5029

State and Zip Code No.

hereby make ^S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) State of Nevada Richard D. Hoffman -

President, John E. Spencer - CEO (VP), Elmer W. Newby - VP, Donald R. Stiffler - CFO (VP)

1. The source of the proposed appropriation is underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 6 One second-foot equals 448.83 gals. per min. second-feet
(a) If stored in reservoir give number of acre-feet 5,000 gallon storage tank
3. The water to be used for Mining processing
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SW 1/4 SE 1/4 Section 11, T.36N., R.19E., M.D.B. & M., or at a point which bears N. 28° 30' E., a distance of 8700 feet to the northeast corner of Section 12, T.36N., R.19E., M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
6. Place of use Sections 11, 12, 13 and 14, T.36N., R.19E., M.D.B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about January 1st Month and Day and end about December 31st Month and Day, of each year.
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well with pump and motor
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.
9. Estimated cost of works \$7,500.00

10. Estimated time required to construct works. 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use. 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Total consumption for entire project will be 216 acre-feet annually under this application and Applications 50951 and 50952.

Compared cc/se lw/cms
By s/James P. Haddan
JAMES P. HADDAN AGENT
300 Hot Springs Rd., #11
Carson City, Nevada 89701

Protested 10-02-87 by Washoe County; Protest Overruled, 4/13/98, Ruling No. 4620

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit does not authorize quasi-municipal (housing) usage.
(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic foot per second, but not to exceed 20.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 30, 1999

Proof of completion of work shall be filed on or before May 30, 1999

Application of water to beneficial use shall be made on or before April 30, 2002

Proof of the application of water to beneficial use shall be filed on or before May 30, 2002

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 17 2000 IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of April

Cultural map filed _____ A.D. 191998

Certificate No. _____ Issued _____
[Signature]
State Engineer

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

